

1 SEAN P. PATTERSON, Esq.  
STATE BAR NUMBER 5736  
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3 (775) 786-1615  
Attorney for Debtors

ELECTRONICALLY FILED  
6-25-13

4 UNITED STATES BANKRUPTCY COURT  
5  
6 FOR THE DISTRICT OF NEVADA

\* \* \*

7 IN RE:

GARY K. COMBE  
8 MARCY L. COMBE

Case No. BK-N-10-53305-GWZ  
(Chapter 13)

APPLICATION TO MODIFY  
CONFIRMED CHAPTER 13 PLAN

Hearing Date: 8-30-13

Hearing Time: 2:00 p.m.

Time Required: 5 Minutes

9  
10 Debtors.  
11 \_\_\_\_\_/

12 COMES NOW Debtors, by and through counsel, SEAN P. PATTERSON,  
13 Esq. and applies to this Court for a post-confirmation modification  
14 of their Chapter 13 Plan, pursuant to 11 U.S.C. §1329, for reasons  
15 more fully set forth below.

16 POINTS AND AUTHORITIES

17 This case was filed on or about August 20, 2010. The plan was  
18 filed on the same day. The case was filed to allow the debtors to  
19 reorganize their unsecured debt, pay their IRS obligations, and  
20 cure some vehicle arrears. The plan was confirmed on December 3,  
21 2010.

22 The debtor have had some changes in their income. Miss Combe  
23 has been diagnosed, once again, with breast cancer. The Combes  
24 incurred new medical expenses, due to the treatments she has to  
25 endure. Because of these changes, the debtors fell behind on their  
26 plan payments. The debtors amended Schedule "I" and "J" are have  
27 been filed with this motion.  
28

1 Section 1329 allows for post-confirmation modification, for  
2 good cause shown, for a period of a maximum of five (5) years from  
3 the time the first payment under the original plan was due.  
4 Counsel requests of this Court that the Plan be modified as  
5 follows: Beginning in June, 2013, the plan payment shall decrease  
6 to \$100.00 for sixteen (16) months. In November, 2014, the plan  
7 shall increase to \$550.00 per month for the remainder of the plan.  
8 The debtors Harley Davidson shall be paid off in October, 2014.  
9 Due to the medical issues, the debtors fell behind on their vehicle  
10 payments to Harley Davidson. The general unsecured creditors  
11 should get less money under this proposal than the confirmed plan.

12 The debtors shall not turnover any tax refunds for the life of  
13 the plan. Counsel requests attorneys fees of \$250.00 for this  
14 motion.

15 RESPECTFULLY SUBMITTED this 25th day of June, 2013.

16  
17   
18 SEAN P. PATTERSON, Esq.

19 Read and Approved by:

Read and Approved by:

20   
21 GARY K. COMBE

22   
23 MARCY L. COMBE  
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DECLARATION IN SUPPORT OF FEES

1. I am the attorney in the above-referenced matter.

2. I am duly licensed as an attorney by the State of Nevada.

3. I have prepared the above motion and state under penalty of perjury that the representations of the facts are true and correct to the best of my knowledge.

4. My hourly rate for this case is \$275.00. It is anticipated that I will spend 1.5 hours in total working on this motion. This time includes, but is not limited to: discussing the case with the client, drafting this motion, drafting the Notice of Motion, setting the hearing for calendar, gathering the documents for the Trustee's anticipated objection, court time, reviewing the Trustee's objection, and reviewing the order to amend the plan.

Dated this 25<sup>th</sup> day of June, 2013.

  
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SEAN P. PATTERSON, Esq.